

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
September 22, 2008

D053032 In re R.E., a Juvenile

Appellant has failed to file a brief after notice given pursuant to California Rules of Court, rules 8.412(d)(1)(A), and 8.416(g). The appeal is dismissed.

D052884 In re Jada B., a Juvenile

The judgment is affirmed. Haller, J.; We Concur: Benke, Acting P.J., Huffman, J.

**D053739 Imperial Asset Management, LLC v. The Superior Court of Imperial
County/Desert Commercial Bank**

The petition is denied.

D051647 Ramona Equipment Rental, Inc. v. Montgomery

The judgment is affirmed. Montgomery is entitled to costs on appeal. McConnell, P.J.;
We Concur: McDonald, J., Aaron, J.

D052665 Quinones v. Superior Court of San Diego County/People

Let a peremptory writ of prohibition issue restraining respondent court from proceeding further on count 1 (torture) of the amended information. In all other respects, the petition is denied. The stay issued by this court on April 23, 2008, is vacated. CERTIFIED FOR PUBLICATION.
McConnell, P.J.; We Concur: McDonald, J., Aaron, J.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
September 23, 2008

D053635 Van C. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency

The attorney for petitioner Van C. has notified the court that a petition for writ of mandate under California Rules of Court, rule 8.452 and 5.600 will not be filed as there are no viable issues for writ review. The case is dismissed.

D053609 Raquel T. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency

The attorney for petitioner Raquel T. has notified the court that a petition for writ of mandate under California Rules of Court, rule 8.452 and 5.600 will not be filed as there are no viable issues for writ review. The case is dismissed.

D053594 Carolyn D. et al. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency

The attorney for petitioner Carolyn D. has notified the court that a petition for writ of mandate under California Rules of Court, rule 8.452 and 5.600 will not be filed as there are no viable issues for writ review. The case as to Carolyn D. is dismissed.

D051027 Geib a Minor, etc. v. Cacatian III et al.

D051237 Geib a Minor, etc. v. Futado et al.

The judgments in favor of defendants are affirmed. Defendants shall recover their costs on appeal. Nares, J.; We Concur: McConnell, P.J., McDonald, J.

D052632 In re Shane G., a Juvenile

The opinion filed August 26, 2008, is ordered certified for publication with the exception of parts I and II.

D051569 Mayer v. Kopp

The judgment is affirmed. Kopp is entitled to costs on appeal. McConnell, P.J.; We Concur: Aaron, J., Irion, J.

D052790 In re Christian O. et al., Juveniles

The appeal is dismissed. Nares, J.; We Concur: Benke, Acting P.J., Huffman, J.

D053351 In re Tovar on Habeas Corpus

The petition is denied.

D053655 Beasley v. Superior Court of San Diego County/Beasley

The petition is denied.

D053272 In re Nicholas D., a Juvenile

The appeal is dismissed. McConnell, P.J.; We Concur: Nares, J., McDonald, J.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
September 23, 2008 (Continued)

D053398 In re Rodriguez on Habeas Corpus

The petition is denied.

D052907 In re Navarro on Habeas Corpus

The petition is denied.

D053393 In re Buffkin on Habeas Corpus

The petition is denied.

D053428 In re Threat on Habeas Corpus

The petition is denied.

D052212 People v. Morgan

The petition for rehearing is granted. Justice Huffman is recused from further participation in this case. On rehearing the matter will be considered by Justices McIntyre, Benke and Haller. Oral argument will be deemed waived unless it is requested by either party in writing on or before October 3, 2008.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
September 24, 2008

D052243 Garcia et al. v. Score International Inc., et al.

The summary judgment as to SCORE is reversed. The summary judgment as to Benitez is affirmed. The parties shall bear their own costs on appeal. O'Rourke, J.; We Concur: Benke, Acting P.J., McIntyre, J.

D050763 People v. Lemons

The judgment is affirmed. McIntyre, J.; We Concur: Benke, Acting P.J., Aaron, J.

D052910 People v. McConville

Upon filing an abandonment of appeal, personally signed by the defendant, the appeal is DISMISSED and the remittitur is ordered to issue immediately. (Cal. Rules of Court, rule 8.316.)

D051238 Stewart v. Rady Children's Hospital San Diego et al.

The judgment is affirmed. Benke, Acting P.J.; We Concur: Haller, J., Irion, J.

D049240 Waits et al. v. Pacifica Villa Royale, LLC et al.

The request for publication filed September 12, 2008, is denied.

D052726 In re Garcia on Habeas Corpus

The petition is denied.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
September 25, 2008

D052428 People v. McElmurry

The petition for rehearing is denied.

D051756 People v. Johnson

The judgment is affirmed. McDonald, J.; We Concur: McConnell, P.J., Haller, J.

D050291 McGuigan et al. v. San Diego Police Officers Association et al.

The motions to dismiss, to strike, and for sanctions are denied; the judgment certifying the class and approving the settlement agreement is affirmed. Each party to bear its own costs. Huffman, J.; We Concur: McConnell, P.J., Nares, J.

D053771 Groce v. The Superior Court of San Diego County/People

The petition is denied.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
September 26, 2008

D052430 People v. Thompson

The judgment of conviction is affirmed. The sentence is reversed. The case is remanded with directions to order a supplemental probation report and hold a new sentencing hearing.

McDonald, J.; We Concur: McConnell, P.J., McIntyre, J.

D049242 Edgar v. Chula Vista Elementary School District

Judgment affirmed. Appellant is ordered to pay respondent's costs on appeal. Haller, J.;

We Concur: Nares, Acting P.J., Irion, J.

**D053674 Tinoco v. Superior Court of San Diego County/San Diego County Health
and Human Services Agency**

Let a writ of mandate issue directing the superior court to vacate its April 29, 2008, order denying the request for a certificate of probable cause and enter a new order issuing the certificate. This opinion is final immediately as to this court. (Cal. Rules of Court, rule 8.264(b)(3).) Haller, J.; We Concur: McConnell, P.J., McDonald, J.